

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

OWEN W. BARNABY,
Plaintiff

)
)

Vs.

) Hon. Robert J. Jonker
) Hon. Mag. Sally J. Berens

MICHIGAN STATE GOVERNMENT, ET, AL
Defendants

) Case No. 1:22 -CV- 1146

Owen W. Barnaby
P.O. Box 1926
Kennesaw, GA 30156
(678) 382- 4183
Bossproperties96@gmail.com

Attorney T. Hackworth
Berrien County Government
701 Main Street, St. Joseph, Michigan 49085
T. (269) 983-7111, ex 8416 | thackworth@berriencounty.org

Attorney, T. Seth Koches,
Niles-Charter-Township/Board of Trustee
470 W. Centre Ave., Ste. A, Portage, MI. 49024
T. 269-382-4500 Koches@michigantownshiplaw.com

Jeffery R. Holmstrom (P29405)
Holmstrom Law Office PLC
830 Pleasant Street Suite 100
St. Joseph, MI 49085
T. (269)-983-0755 | jeff@holmstromlawoffice.com

Attorney Emily P Jenks
6th Floor at Ford Field
1901 St. Antoine St. Detroit, MI 48226
T: 313-393-7582 | EJenks@bodmanlaw.com

Berrien County Courthouse,
811 Port St, St Joseph, MI 49085

Pendrick Kimberly Attorney General of Michigan
525 W. Ottawa, 5th Floor
P.O. Box 30736, Lansing, MI 48909
T. 517-335- 7659 | PendrickK@michigan.gov

**Amended, Plaintiff Request to the Clerk of Court for Entry a DEFAULT
JUDGMENT Against all Defendants Listed Below, with Affidavit, Pursuant 55.(b)(1).**

Comes Now, Plaintiff, In Pro Se, with his, 'request for Clerk of Court to enter a Default Judgment against all named Defendants listed below, because of the Defendants' failure to file answers to Plaintiff's 'Third Amended Complaint (ECF No, 36) or a Rule 12 Motion. For the grand total sum certain Default Judgment damages claim which is good through April 30, 2024, to the tune of **\$85, 944,289.20** and a Declaratory Judgment. Plaintiff now set forth his 'request for Clerk of Court to enter Default against all named Defendants listed below, with affidavit:

1). Defendant – Hon. Alfred M. Butzbaugh, F.C.J; **2).** Defendant - Lori D. Jarvis Registrar; **3).** Defendant - Kathleen Culberson, Notary Public; **4).** Defendant – Bret Witskowski, Treasurer; **5).** Defendant – Attorney James McGovern; **6).** Defendant – Bret Witskowski, in his Individual capacity.

- 1) I request the clerk to enter the default on the parties named above for failure to plead or otherwise defend.
- 2) The defaulted parties are not infants or incompetent persons.
 - a. Plaintiff has newly learned that the Defendant – Hon. Alfred M. Butzbaugh, F.C.J is deceased, but the lawsuit is filed in his Official Capacity, as a former County Judge, and was served upon the Clerk of Berrien County Government, Ms. Sharon Tyler, on his behalf. See, (ECF Nos,159, 163).
- 3) I have no reason to believe that any of the defaulted parties are in military service. Furthermore, given their Job descriptions, Plaintiff belief the defaulted parties are not in the military service.
- 4) I Declare that this request is made on my personal knowledge and, if sworn as a witness, I can testify competently under the penalty of perjury.
- 5) The summonses and copies of Third complaint(ECF No,36) were served upon the Clerk of Berrien County Government, Ms. Sharon Tyler, on behalf of the same Defendants. See, (ECF Nos,159, 163).
- 6) I declare under the penalties of perjury that this request has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

CONCLUSION and Relief Requested

For reasons articulated herein: **1).** Plaintiff request that the Clerk of Court enter Default Judgment against the above Defendants, for their failure to file Answers to Plaintiff's 'Third Amended Complaint (ECF No, 36) or a Rule 12 Motion; for the grand total sum certain Default Judgment damages claim of **\$85, 944,289.20**. Furthermore, the request is for the Clerk of Court to enter the Default Judgment according, full Compensatory Damages of **\$17,188,857.80** and Punitive¹ damages, Four-Times his Compensatory Damages of **\$68,755,431.40**, grand total of **\$85, 944,289.20**.

2). To enter a Declaratory Judgment against the Defendant – Hon. Alfred M. Butzbaugh, F.C.J, that his August 18, 2010, Judgment and July 12, 2012, Order are void, and imaginary against Plaintiff, procured by forgery, falsifications of Courts; and County's records, UPL and fraud upon Courts.

Respectfully Submitted,

Dated: April 19, 2024,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

¹ E. Jean Carroll v. Donald J. Trump

Case No. 20 CIVIL 7311(LAK)

It is hereby ORDERED, ADJUDGED AND DECREED: That after a Jury Trial before Honorable Lewis A. Kaplan, United States District Judge, Plaintiff E. Jean Carroll has judgement for compensatory damages (other than for the reputation repair program) in the amount of \$7,300,00.00, Plaintiff E. Jean Carroll has judgement for compensatory damages (for the reputation repair program only) in the amount of \$11,000,000.00; and Plaintiff E. Jean Carroll has judgement for punitive damages in the amount of \$65,000,000.00, each as against the defendant Donald J. Trump for an aggregate sum of \$83,000,000.00. Dated New York, New York February 8, 2024.

CERTIFICATE OF SERVICE

The undersigned states that, on the 19th day of April 2024, a duplicate original of Plaintiff's, 'Request to the Clerk of Court for Entry a DEFAULT JUDGMENT Against all Defendants Listed Below, with Affidavit, Pursuant 55.(b)(1), was filed with the Clerk using the ECF System, which will provide electric notice to the parties of record, and I have emailed and mailed by U.S. Postal Service the same to the non-ECP participants attorney above.

Respectfully Submitted,

Dated: April 19, 2024,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.